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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1956

STATES OF WISCONSIN, MINNESOTA, OHIO and PENNSYLVANIA, *Complainants,* vs. STATE OF ILLINOIS and THE SANITARY DISTRICT OF CHICAGO, *Defendants.*	No. 2 Original
STATE OF MICHIGAN, *Complainant,* vs. STATE OF ILLINOIS and THE SANITARY DISTRICT OF CHICAGO, et al., *Defendants.* STATES OF MISSOURI, KENTUCKY, TENNESSEE, LOUISIANA, MISSISSIPPI, and ARKANSAS, *Intervening Defendants.*	No. 3 Original
STATE OF NEW YORK, *Complainant,* vs. STATE OF ILLINOIS and THE SANITARY DISTRICT OF CHICAGO, et al., *Defendants.*	No. 4 Original

PETITION OF THE STATE OF ARKANSAS, INTERVENING DEFENDANT, IN SUPPORT OF THE PETITION OF THE STATE OF ILLINOIS FOR TEMPORARY MODIFICATION OF PARAGRAPH 3 OF DECREE OF APRIL 21, 1930.

TOM GENTRY,
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Attorneys for Petitioner.

CHAMPLIN-SHEALY COMPANY, CHICAGO 365

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To the Honorable

THE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

The State of Arkansas, an intervening defendant in this cause, presents this, its petition, in support of the petition heretofore filed by the State of Illinois, and joins with the

State of Illinois in praying for temporary modification of the decree of this Court entered on April 21, 1930, which prohibits diversion of water from the Great Lakes-St. Lawrence system or watershed in excess of 1,500 cubic feet per second, in addition to domestic pumpage, by the State of Illinois or the Sanitary District of Chicago.

As fully set forth in the petition of the State of Illinois, unprecedented drought conditions in the Midwest and, in particular, in the area which forms a watershed for the Mississippi River, have resulted in a continuing decline of the water level of the Mississippi River to a point where navigation already is impaired. As a result of such drought conditions, the water level in the Mississippi River is continuing to decline, and it is apparent that within a matter of weeks navigation on the river, even by shallow draft vessels, will be completely halted. River-borne commerce moving to and from the State of Arkansas is of vital importance to the economy of the state.

There is no prospect of relief from this condition by natural means and the only means by which the necessary relief can be accomplished in time to avert the emergency conditions which already exist, and which are daily becoming more critical, is through the diversion of water from Lake Michigan via the Chicago Sanitary Canal and the Illinois River as prayed for in the petition of the State of Illinois. As stated in that petition, the amount of water required to alleviate the present shortage of water in the Mississippi River, would have no appreciable effect upon the water level of Lake Michigan or of the Great Lakes-St. Lawrence system or watershed, and would in no respect impair or obstruct navigation thereon.

WHEREFORE, the State of Arkansas respectfully concurs in the petition heretofore filed by the State of Illinois for temporary modification of the decree of this Court of April

21, 1930, to permit a diversion of 10,000 cubic feet of water per second from the Great Lakes-St. Lawrence system or watershed, in addition to domestic pumpage, for a period of one hundred days following the entry of the Court's order authorizing such modification, in order to relieve the critical shortage of water which now exists in the Mississippi River.

Respectfully submitted,

STATE OF ARKANSAS,
TOM GENTRY,
Attorney General,
State Capitol,
Little Rock, Arkansas,

By: JAMES L. SLOAN,
Chief Assistant Attorney General,
State Capitol,
Little Rock, Arkansas,
Attorneys for Petitioner.

State of Arkansas }
Pulaski County } ss.

James L. Sloan, being first duly sworn, deposes and says that he is a duly appointed and acting Assistant Attorney General in the State of Arkansas; that he has read the foregoing reply; and that the matters and things therein set forth are true in substance and in fact. Deponent further certifies that copies of the foregoing Petition has this day been mailed by first class United States mail, or United States airmail, to all parties to this proceeding.

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Subscribed and sworn to before me this .... day of ...., A. D. 1956.

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Notary Public, State of Arkansas.
My commission expires .....